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To: United States Patent & Trademark Office **From:** Ury Fischer, Esq.

Attn: Humera N. Sheikh **Pages:** 41 (including cover)

Fax: (571) 273-0604 **Date:** February 9, 2004

Re: Our File No.: 19113-1-0031
Application Serial No. 10/044,275
Filing Date: 1/10/2002
First Named Inventor: Karl F. Popp
Art Unit: 1615
Metronidazole Pledgets

CC:

Urgent **For Review** **Please Comment** **Please Reply** **Please Recycle**

% Message:

Dear Ms. Sheikh:

Attached for your review please find a copy of the Amendment and Remarks in Response to Office Action, together with five (5) exhibits, which were filed with the United States Patent & Trademark Office, by Express Mail EL 969230127 US, on November 5, 2003.

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Attorney's Docket No. 19113-1-0031**PATENT****IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re Application of:

KARL F. POPP

Serial No. 10/044,275

Filed: January 10, 2002

For: METRONIDAZOLE PLEDGET

Art Unit: 1615

Examiner: Humera N. Sheikh

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

AMENDMENT AND REMARKS IN RESPONSE TO OFFICE ACTION

Sir:

Applicant hereby responds to the Examiner's Office Action of May 5, 2003 in which claims 1, 12, 13, 15-21, 29 and 38-45 were rejected under 35 U.S.C. § 102(b) as being anticipated by U.S. Patent No. 5,849,776 to Czernielewski, et al. (hereinafter "Czernielewski"); and claims 2-11, 14, 22-28 and 30-37 were rejected under 35 U.S.C. § 103(a) as being unpatentable over *Czernielewski* in view of U.S. Patent 6,495,158 to Buseman, et al. (hereinafter "Buseman").

Please amend the above-identified application and enter Applicant's response into the record as follows:

Amendments to the Specification begin on page 2 of this paper.

Amendments to the Claims are reflected in the listing of claims which begins on page 3 of this paper.

Remarks/Arguments begin on page 8 of this paper.